

MINUTES

UTAH OPTOMETRY LICENSING BOARD MEETING

October 22, 2003

Room 428 – 4th Floor – 9:00 A.M.
Heber Wells Building

CONVENED: 9:00 A.M.

ADJOURNED: 10:40 A.M.

Bureau Manager:
Board Secretary:

Douglas Vilnius
Karen McCall

Board Members Present:

Dane F. Dansie, OD
D. Lee Tanner, OD
Linda Cornaby
Bonnie Rice
Bradley Fellows, OD
John M. Brand, OD
Bill G. Codner, OD

Guests:

Craig Jackson, Division Director
Laura Poe, Division Assistant Director
Clive Watson, UOA
Annette Mahler, UOS

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Swearing in of Bonnie Barker Rice as a Board Member

Mr. Jackson conducted the swearing in of Ms. Rice.
Board members welcomed Ms. Rice.

Read and approve the July 9, 2003 minutes.

Dr. Tanner made a motion to approve the minutes as read. Dr. Fellows seconded the motion. **The board vote was unanimous.**

PENDING BUSINESS:

Board Members were requested to Submit Additional Information to Substantiate Utah Law Contradicting National Standard of Care

Dr. Brand discussed the requirements for licensure in other states, specifically Oregon. Oregon requires a score grade of 70 or better on practical examinations

Guidelines

taken prior to the National examination being offered. Utah does not give a score grade for the clinical portion of the practical examination. Utah verifies a pass or fail only. Dr. Brand requested Utah to research the earlier examination information and to add a score grade to the verifications that go to other states.

Mr. Vilnius responded that the division will do research into a solution for the problem and report back at the next scheduled board meeting.

FYI – Mr. Vilnius spoke with Experior regarding adding Schedule III to the Optometry Study Guide

Mr. Vilnius reported that Experior has included Schedule III to the Optometry Controlled Substance Study Guide.

NEW BUSINESS:

CORRESPONDENCE:

American Optometric Association
Correspondence (AOA)

The board reviewed the following AOA correspondence:

1. Actions taken by ACOE. **No action taken.**
2. Potential Ophthalmology Antitrust Violations Against Optometrists Regarding Surgical Co-Management. **The board discussed the practice of the optometrist and the MD co-managing patients. The board believed the practice is common in Utah and have not heard of any indications to discontinue.**

ARBO

The board reviewed the Green Sheet newsletter. **No action taken.**

Vision Council of America Correspondence
(VCA)

The board reviewed the following VCA correspondence:

1. A Letter about a Bill introduced in Congress regarding eye screening for children and for schools. **The board stated that Optometrists are not allowed by law to go into schools to conduct eye screening. The board requested copies of the information and deferred further discussion to the next scheduled board meeting.**
2. Information on Vision Screening by Pediatricians. **The board requested copies of the information and deferred discussion to the next scheduled board meeting.**

The New England College of Optometry Letter regarding a Continuing Education Course

Board members noted the information.

NCPDP Letter regarding NCPDP Membership

Board members noted the information.

DISCUSSION ITEMS:

Laws and Rules

Dr. Brand made a motion that the law include the list of ophthalmologic devices that assist the visual function of the low vision patient as per the information Dr. Tanner submitted at the July 9, 2003 board meeting. Dr. Tanner seconded the motion. The board vote was unanimous.

The board discussed the law requiring a law and rule examination as a requirement for licensure. **Dr. Codner made a motion that the examination be a part of the application to assist the applicant in obtaining a Utah license without having to physically come to Utah to sit for the examination. Dr. Dansie seconded the motion. The board vote was unanimous.**

Dr. Brand discussed the national examination requirements and stated that the TMOD will be phased out completely in 2005 as that specific examination has been incorporated into the other examinations. **Dr. Brand made a motion that the Utah rule be updated to reflect that the TMOD examination be required until the date TMOD is phased out. Dr. Tanner seconded the motion. The board vote was unanimous.**

Dr. Brand reviewed the endorsement section of the law and rules and discussed making changes. **The board determined that the endorsement section should stay as it is written.**

Continuing Education – Internet and Physical Attendance

The board discussed the number of COPE or CME hours of internet continuing education that should be accepted and the number of physical attendance hours that should be approved.

Dr. Brand stated that several states are not accepting any internet courses.

Dr. Tanner commented that the internet COPE courses have sections that must be read with an examination at the end.

Dr. Codner made a motion that no change be made to the law or rule. Dr. Fellows seconded the motion. Following discussion, Dr. Codner revised the motion to be no more than 10 hours of continuing education hours may be internet COPE or CME courses. Dr. Brand seconded the revised motion. Dr. Codner and Dr. Brand voted in favor of the motion. Dr. Fellows, Dr. Dansie, Ms. Cornaby, Ms. Rice and Dr. Tanner voted against the motion. The motion failed.

HR 3140, Contact Lens Prescription Release

Dr. Brand discussed a Bill introduced in Congress that addresses contact lens prescription releases. **The board reviewed the information on HR 3140. The board determined that the Utah law is more restricted and would, therefore, take precedence over HR 3140.**

Dr. Dansie made a motion to change the law under “Contact lens prescription” from 2 years to 1 year. Then 58-16a-102(3)(b)(ii) would read: “A prescription may include: the expiration date of the prescription, which shall be 1 year from the commencement date...”. Dr. Codner seconded the motion. The board vote was unanimous.

Mr. Vilnius responded that the division would support the safety and standard care for patients.

FYI – Default Order on Greg C. Stringham to Revoke the Utah Optometry License

The board noted that Dr. Stringham’s Utah license has been revoked based on failure to comply with the Memorandum of Understanding.

2004 Board Meeting Schedule

The board noted that the board meetings have been scheduled for April 21 and October 27, 2004.

NEXT MEETING SCHEDULED FOR:

April 21, 2004

MEETING ADJOURNED AT:

10:40 A.M.

Date Approved

Chairperson, Utah Optometry Licensing Board

Date Approved

Bureau Manager, Division of Occupational &
Professional Licensing